

Docket No. 1550

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OFFICE 08/714964 *WJC*

Docket No. 150

-59987-3/KEB

Anticipated Classification of  
this Application:

Class:                                  Subclass:

### Prior Application:

Examiner: T. Kavanaugh

Art Unit: 3208

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

This is a request for filing a

X Continuation

Continuation-in-Part (supplemental declaration required; see 10)  
 Divisional

application under 37 C.F.R. 1.62 (File Wrapper Continuing Procedure) of pending application Serial No. 08/400,336 filed on March 8, 1995 in the name of Stan Hockerson, Albuquerque, NM

(Names & Addresses of ALL Applicants)

for

**INDEPENDENT IMPACT SUSPENSION ATHLETIC SHOE**

(Title of Invention)

(PLEASE NOTE: FILING OF THIS FORM RESULTS IN AUTOMATIC ABANDONMENT OF THE PARENT APPLICATION. THIS FORM CANNOT BE USED AFTER THE ISSUE FEE IN THE PARENT APPLICATION HAS BEEN PAID.)

1. (a) \_\_\_\_\_ Enclosed is a Small Entity Affidavit.
  - (b)  A Small Entity Affidavit is of record in the prior application.
  2.  The filing fee is calculated below:

Claims remaining in the application after entry of any amendments under 37 C.F.R. 1.116 unentered in the prior application and less any claims cancelled by amendment below:

	(Col. 1) NO. FILED	(Col. 2) NO. EXTRA	SMALL ENTITY RATE	FEES	OTHER THAN SMALL ENTITY RATE	FEES
<b>BASIC FEE</b>				\$375		\$750
<b>TOTAL CLAIMS</b>	<u>3</u> - 20 =	0	x 11 =	\$	x 22 =	\$
<b>INDEP CLAIMS</b>	<u>1</u> - 3 =	0	x 39 =	\$	x 78 =	\$
<b>MULTIPLE DEPENDENT CLAIM PRESENTED</b>			+ 125 =	\$	+ 250 =	\$
If the difference in Col 1 is less than zero, enter "0" in Col 2			<b>TOTAL</b>	<b>\$375</b>	<b>TOTAL</b>	<b>\$</b>

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3.  The Assistant Commissioner is hereby authorized to charge any additional fees which may be required, including extension fees, or credit any overpayment to Deposit Account No. 06-1300 (Order No. A-59987-3/REB).

4.  Our Check No. 85448 in the amount of \$375 is enclosed.

5.  Cancel in this application original claims \_\_\_\_\_ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

6.  Amend the specification by inserting before the first line the sentence:

*C JK  
JK  
JK  
JK*  
--This is a continuation of application Serial No. 08/400,336 filed March 8, 1995, which is a continuation-in-part of application Serial No. 08/259,774 filed June 14, 1994, which is a continuation of application Serial No. 08/024,601 filed March 1, 1993. ~~now abandoned~~

7.  Enter the amendments under 37 C.F.R. 1.116 filed on July 23, 1996 unentered in the prior application.

8.  Formal drawings to be substituted for the informal drawings filed with the prior application are enclosed.

9.  A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

10.  A supplemental declaration is enclosed. (If a CIP application adds and claims additional disclosure by amendment, an oath or declaration as required by 37 C.F.R. 1.63 must be filed. Do not enclose a retyped specification including the changes.)

Date: Septmber 17, 1996

Signature: Richard E. Backus  
Richard E. Backus  
Reg No. 22,701

Inventor(s)

Assignee of complete interest

Attorney or agent of record

Filed under Section 1.34(a)

Address of Signer:

FLEHR, HOHBACH, TEST,  
ALBRITTON & HERBERT  
Four Embarcadero Center, Suite 3400  
San Francisco, CA 94111  
Telephone: (415) 781-1989

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Form 1.16a (540238)  
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